

CHAPTER 22 OFF-STREET LOADING FACILITY REQUIREMENTS**Section**

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2200 AUTHORITY TO REQUIRE LOADING FACILITIES

- 2200.1 All buildings or structures erected on or after May 12, 1958 shall be provided with loading berths, loading platforms, and service/delivery loading spaces to the extent specified in § 2201, except as provided in § 2202.
- 2200.2 No application for a building permit for a building or structure to be erected on or after May 12, 1958 shall be approved unless there is included with the plans for the building or structure a loading plan showing the location, dimensions, and grades of all loading berths, loading platforms, and service/delivery loading spaces and approaches thereto in accordance with the provisions of this chapter.
- 2200.3 No certificate of occupancy shall be issued for the use of a building or structure erected on or after May 12, 1958, unless the required loading berths, loading platforms, and service/delivery loading spaces have been provided in accordance with the loading plan provided for in the approved building permit.
- 2200.4 Except as provided in § 2200.5, when the use of a building or structure is changed to another use that requires more loading berths, loading platforms, or service/delivery loading spaces than required for the use existing immediately prior to the change or, if the building or structure is vacant, the use that existed immediately prior to the vacancy, loading berths, loading platforms, and service/delivery loading spaces shall be provided for the additional requirement in the amount necessary to conform to § 2201.
- 2200.5 No additional loading berths, loading platforms, or service/delivery loading spaces shall be required for a historic landmark or a building or structure located in a historic district that is certified by the State Historic Preservation Officer as contributing to the character of that historic district.

- 2200.6 When the intensity of use of a building or structure existing before May 12, 1958 is increased by an addition or additions of dwelling units, gross floor area, seating capacity, or other unit of measurement specified in § 2201, loading berths, loading platforms, and service/delivery loading spaces shall be provided for the addition or additions; provided, that the provisions of §§ 2200.7 through 2200.9 are satisfied.
- 2200.7 Loading berths, loading platforms, and service/delivery loading spaces shall not be required for the addition or additions unless the addition or additions increase the intensity of use of the building or structure by more than twenty-five percent (25%) of the aggregate.
- 2200.8 Loading berths, loading platforms, and service/delivery loading spaces for the addition of additions need not exceed the amount of loading berths, loading platforms, and service/delivery loading spaces that would be required for the entire structure as proposed if constructed new.
- 2200.9 The determination of the increase of intensity of use shall be based on the total increase in intensity of use the structure undergoes on or after May 12, 1958, and whether the total increase occurs at one time or in successive stages.

AUTHORITY: Unless otherwise noted, the authority for this chapter is the Zoning Act of 1938, approved June 20, 1938 (52 Stat.797 as amended; D.C. Official Code §§ 6-641.01 to 6-641.15 (2001) (formerly codified at D.C. Code §§ 5-413 to 5-432 (1994 Repl. & 1999 Supp.))).

SOURCE: Final Rulemaking published at 31 DCR 6585, 6611 (December 28, 1984); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8505-06 (October 20, 2000).

2201 SCHEDULE OF REQUIREMENTS FOR LOADING BERTHS, LOADING PLATFORMS, AND SERVICE/DELIVERY LOADING SPACES

- 2201.1 On and after May 12, 1958, all buildings or structures shall be provided with loading berths, loading platforms, and service/delivery loading spaces as specified in the following table:

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
<u>Office Building in W, CR, C-2-B, C-2-C, and C-M-1 Districts:</u> With 20,000 to 50,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
With more than 50,000 to 200,000 ft. ² of gross floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 200,000 ft. ² of gross floor area	3 @ 30 feet deep	3 @ 100 ft. ²	1 @ 20 feet deep
<u>Office Building in C-1, C-2-A, and C-3-A Districts:</u>			
With 20,000 to 50,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 50,000 to 200,000 ft. ² of gross floor area and cellar floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 200,000 ft. ² of gross floor area and cellar floor area	3 @ 30 feet deep	3 @ 100 ft. ²	1 @ 20 feet deep
<u>Office Building in All Other Districts:</u>			
With 30,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 100,000 to 200,000 ft. ² of gross floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 200,000 ft. ² of gross floor area	3 @ 30 feet deep	3 @ 100 ft. ²	1 @ 20 feet deep
<u>Grocery Store or Drug Store in C-1, C-2-A, and C-3-A Districts:</u>			
With 5,000 to 20,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 to 100,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
<u>Grocery Store or Drug Store in W, CR, C-2-B, C-2-C, C-M-1, and C-M-2 Districts:</u>			
With 5,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep
<u>Grocery Store or Drug Store in C-3-B, C-3-C, C-4, C-5 (PAD), C-M-3, and M Districts:</u>			
With 8,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 20,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep
<u>Retail or Service Establishment Other than Grocery Store or Drug Store in C-1, C-2-A, and C-3-A Districts:</u>			
With 5,000 to 20,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 to 30,000 ft. ² of gross floor area and cellar floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 30,000 to 100,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ¹ 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area and cellar floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
<u>Retail or Service Establishment Other than Grocery Store or Drug Store in W, CR, C-2-B, C-2-C, C-M-1, and C-M-2 Districts:</u>			
With 5,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 to 30,000 ft. ² of gross floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 30,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep
<u>Retail or Service Establishment other than Grocery Store or Drug Store in C-3-B, C-3-C, C-4, C-5 (PAD), C-M-3, and M Districts:</u>			
With 8,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 20,000 to 30,000 ft. ² of gross floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 30,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 ft. ² 2 @ 200 ft. ²	1 @ 20 feet deep
<u>Electronic Equipment Facility (EEF) in C-3, C-4, C-5 (PAD), CR, C-M, and M Districts:</u>			
With 20,000 to 50,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 50,000 to 200,000 ft. ² of gross floor area	2 @ 30 feet deep	2 @ 100 ft. ²	1 @ 20 feet deep
With more than 200,000 ft. ² of gross floor area	3 @ 30 feet deep	3 @ 100 ft. ²	1 @ 20 feet deep

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
<u>Wholesale Use or Warehouse or in C-1, C-2, C-3-A, C-M-1, and C-M-2 Districts:</u>			
With 2,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	None
For each 200,000 ft. ² of gross floor area more than 100,000 ft. ²	1 @ 55 feet deep	1 @ 200 ft. ²	None
<u>Wholesale Use or Warehouse in W, CR, C-3-B, C-3-C, C-4, C-5 (PAD), C-M-3, and M Districts:</u>			
With 4,000 to 20,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 20,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	None
For each 200,000 ft. ² of gross floor area more than 100,000 ft. ²	1 @ 55 feet deep	1 @ 200 ft. ²	None
<u>Manufacturing or Industrial Establishment in All Districts:</u>			
With 5,000 to 25,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
With more than 25,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	None
For each 100,000 ft. ² of gross floor area more than 50,000 ft. ²	1 @ 55 feet deep	1 @ 200 ft. ²	None
<u>Apartment House or Multiple Dwelling with 50 or More Dwelling Units in All Districts:</u>	1 @ 55 feet deep	1 @ 200 ft. ²	1 @ 20 feet deep
<u>Hotel, for Guest Room Areas, in All Districts:</u>			

USES AND DISTRICTS	MINIMUM NUMBER AND SIZE OF LOADING BERTHS REQUIRED	MINIMUM NUMBER AND SIZE OF LOADING PLATFORMS REQUIRED	MINIMUM NUMBER AND SIZE OF SERVICE/DELIVERY LOADING SPACES REQUIRED
With 30 to 200 rooms usable for sleeping	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 200 rooms usable for sleeping	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
<u>Hotel, for Function Rooms and Exhibit Space, in All Districts:</u>			
With a total of 10,000 ft. ² or more of floor area	1 @ 30 feet deep	1 @ 100 ft. ²	None
For each 50,000 ft. ² of floor area more than 50,000 ft. ²	1 @ 55 feet deep	1 @ 200 ft. ²	None
<u>Inn, in All Districts</u>			
With 30 to 200 rooms usable for sleeping	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 200 rooms usable for sleeping	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep
<u>Theater or Group of Theaters in One Building, with More than 500 Seats in All Districts:</u>			
	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
<u>Any Other Use in All Districts:</u>			
With 30,000 to 100,000 ft. ² of gross floor area	1 @ 30 feet deep	1 @ 100 ft. ²	1 @ 20 feet deep
With more than 100,000 ft. ² of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 ft. ² 1 @ 200 ft. ²	1 @ 20 feet deep

2201.2 For any use that occupies ninety percent (90%) or more of the gross floor area and cellar floor area of a building or structure, loading berths shall be calculated based on the entire gross floor area and cellar floor area of the building or structure as if the greater use occupies the entire building or structure.

- 2201.3 No loading platform need be provided for loading berths if the required loading berth is increased in depth for the full width thereof, such that the resulting enlarged loading berth is equal in area to the combined area of a required loading berth and a required loading platform.
- 2201.4 In a C-4 District, the loading berth, loading platform, and service/delivery loading space requirements applicable to a Disposition Lot so identified in the Downtown Urban Renewal Plan shall be as specified in that Plan.
- 2201.5 All required service/delivery loading spaces shall be a minimum of ten feet (10 ft.) wide and have a minimum vertical clearance of ten feet (10 ft). Each service/delivery loading space shall be clearly marked "For Service and Delivery Vehicles Only" and used exclusively for such vehicles.
- 2201.6 All required loading berths shall be a minimum of twelve feet (12 ft.) wide and have a minimum vertical clearance of fourteen feet (14 ft.).
- 2201.7 All required loading platforms shall meet the following requirements:
- (a) A platform that is at least one hundred square feet (100 ft.²) shall have a minimum width of eight feet (8 ft.);
 - (b) A platform that is at least two hundred square feet (200 ft.²) shall have a minimum width of twelve feet (12 ft.);
 - (c) A loading platform shall have a minimum vertical clearance of ten feet (10 ft.); and
 - (d) A loading platform floor shall consist of one (1) horizontal level.
- 2201.8 The dimensions specified in §§ 2201.5 and 2201.6 for service/delivery loading spaces and loading berths are exclusive of access aisles, maneuvering space, and loading platforms.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6612 (December 28, 1984); as amended by: Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8506-07 (October 20, 2000); Final Rulemaking published at 48 DCR 9830, 9840 (October 26, 2001); and by Final Rulemaking published at 49 DCR 1655 (February 22, 2002), incorporating by reference the text of Proposed Rulemaking published at 48 DCR 11159, 11164 (December 7, 2001).

2202 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS

- 2202.1 Within the Downtown Urban Renewal Area, loading berths and service/delivery loading spaces need not be provided if adopted public law or municipal regulation prohibits a curb cut on the street that the lot faces and there is no other alternative access to the lot through a street or alley.
- 2202.2 Within the Downtown Urban Renewal Area, the Board of Zoning Adjustment is hereby authorized in accordance with the conditions specified in § 3104 for special exceptions to reduce or eliminate the required amount of loading berths and service/delivery loading spaces and to approve the use of off-site loading facilities, including joint loading berths and service/delivery loading spaces; provided:
- (a) Other adopted public law, policy, or municipal regulation require or recommend that the street not be broken with a curb cut and there is no other alternative access to the lot through a street or alley;
 - (b) The reduction, elimination, location, or consolidation would not adversely affect traffic conditions or use of other public space;
 - (c) There would be no adverse effects on adjacent properties or topography;
 - (d) The Board may impose conditions as to screening, lighting, coping, setbacks, fences, location of entrances and exits, widening of abutting alleys, or any other requirement it deems necessary to protect adjacent or nearby property and promote the public health, safety and welfare; and
 - (e) Before taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6621 (December 28, 1984); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8507-08 (October 20, 2000).

2203 LOCATION OF LOADING BERTHS, LOADING PLATFORMS, AND SERVICE/DELIVERY LOADING SPACES

- 2203.1 Except as provided in this section, all required loading berths and service/delivery loading spaces shall be located as follows:
- (a) Within the building or structure the berths or spaces are designed to serve; or
 - (b) On an open area of the lot:
 - (1) Within a rear yard;

- (2) Within a side yard; provided, that in a Residence or Special Purpose District, the loading berths and service/delivery loading spaces shall be at least three feet (3 ft.) from any side lot line; or
 - (3) Elsewhere on the lot, only when located in Commercial and Industrial Districts.
- 2203.2 All loading platforms shall be located contiguous and with unobstructed access to the loading berth and shall have unobstructed access to an entrance to the building or structure.
- 2203.3 All loading berths shall be designed so that no vehicle or any part thereof shall project over any lot line or building line.
- 2203.4 Required loading berths may be provided in facilities designed to serve jointly two (2) or more adjoining buildings or structures on lots separated only by an alley within a single square; provided:
 - (a) The number of berths in the joint facilities shall not be less than that required for the total combined floor area of the buildings or structures in § 2201.
 - (b) A binding covenant that is acceptable to the Zoning Administrator, ensuring the joint use of the loading berths and entered into by all property owners concerned, shall be recorded in the land records of the District of Columbia. A certified true copy of the covenant shall be filed with the Zoning Administrator. Joint use of the loading berths by all parties involved shall continue in effect so long as the binding agreement remains in force. If the agreement becomes legally ineffective or inoperable, then loading berths shall be provided as otherwise required by § 2201.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6611 (December 28, 1984); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8508 (October 20, 2000).

2204 ACCESS, MAINTENANCE, AND OPERATION

- 2204.1 All loading berths and service/delivery loading spaces including access aisles, driveways, and maneuvering areas shall be paved and maintained with bituminous, concrete, or brick materials or a combination of these materials or other materials, if approved by the D.C. Department of Transportation as structurally equivalent or better, that form an all-weather impervious surface and that are at least six inches (6 in.) in thickness.
- 2204.2 All required loading berths and service/delivery loading spaces shall be directly accessible from an improved street or alley or accessible from an improved street or alley via graded and unobstructed private driveways that form an all-weather impervious surface.

- 2204.3 An improved street or alley providing access to required loading berths and service/delivery loading spaces shall have a minimum width of ten feet (10 ft.) and be paved in compliance with the standards of the D.C. Department of Transportation.
- 2204.4 A private driveway or access aisle leading to a loading berth or service/delivery loading space shall have a minimum width of twelve feet (12 ft.), a maximum width of twenty-five feet (25 ft.), and a maximum slope of twelve percent (12 %).
- 2204.5 For a building or structure having three (3) or more required loading berths in one location, the loading berths may be arranged so that access to a loading berth is across the length of one (1) other loading berth.
- 2204.6 Driveway openings leading to loading berths and service/delivery loading spaces shall meet the following requirements:
- (a) The openings serving a loading berth or service/delivery loading space that is thirty feet (30 ft.) deep or less shall be at least forty feet (40 ft.) from the nearest street intersection measured from the intersection of the curb lines extended;
 - (b) The openings serving a loading berth that is more than thirty feet (30 ft.) deep shall be at least fifty-five feet (55 ft.) from the nearest street intersection measured from the intersection of the curb lines extended; and
 - (c) No curb cut providing access to a loading berth or service/delivery loading space shall be located in such a way that a vehicle entering or exiting from the loading berth blocks any street intersection.
- 2204.7 Detailed plans shall be submitted to the D.C. Department of Transportation for approval of all curb cuts and driveway openings to ensure that compliance with the Zoning Regulations does not conflict with the responsibility of the Department of Transportation to protect safety in the public space.
- 2204.8 A loading berth or service/delivery loading space, including access aisles, driveways, and maneuvering areas, shall be maintained and used as a loading berth or service/delivery loading space for as long as the use exists that the loading berth or service/delivery loading space is designed to service.
- 2204.9 No other use shall be conducted from or upon the loading berth or service/delivery loading space or any portion thereof.

- 2204.10 All parts of the loading berth or service/delivery loading space including access aisles, driveways, and maneuvering areas shall be kept free of refuse, debris, and other obstructions of any kind.
- 2204.11 A loading berth or service/delivery loading space shall be designed so that it is usable as a loading berth or service/delivery loading space by a vehicle that the loading berth or service/delivery loading space is designed to serve.
- 2204.12 Open loading berths or service/delivery loading spaces shall be screened from all contiguous residential property located in an R-1, R-2, R-3, R-4, or R-5-A District by a solid masonry wall at least twelve inches (12 in.) thick and seventy-two inches (72 in.) high unless the loading berth is separated from contiguous residential property by at least twenty-five feet (25 ft.) or by a street or alley. Any lighting used to illuminate a loading berth, loading platform, or service/delivery loading space shall be arranged so that all direct rays of lighting are confined to the surface of the berth, platform, or space.
- 2204.13 If approved by the Board of Zoning Adjustment in accordance with the requirements of § 3104 for special exceptions, the requirements in § 2204 may be waived or modified; provided:
- (a) Existing protective and screening walls on the lot or on adjacent residential property are adequate;
 - (b) The modifications do not adversely affect traffic conditions or use of other public space;
 - (c) No adverse effect would be caused by the requested waiver or modification of standards on adjacent properties or topography;
 - (d) The resulting loading berths and approaches to the berths are usable by the type of vehicles they are designed to serve;
 - (e) The Board may impose conditions as to screening, lighting, coping, setbacks, fences, the location of entrances and exits, widening of abutting alleys, or any other requirement it deems necessary to protect adjacent or nearby property and to promote the public health, safety, and welfare; and
 - (f) Before taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6623 (December 28, 1984); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8508-09 (October 20, 2000).

2205 RULES OF INTERPRETATION

- 2205.1 For the purpose of this chapter, the rules of interpretation in this section shall be applicable.
- 2205.2 In computing the number of required loading berths, that portion of the gross floor area or cellar floor area devoted to any pump island canopy and kiosk adjacent to the pumps used exclusively as an attendant's shelter of a gasoline service station, parking spaces, loading berths, service/delivery loading spaces, or loading platform area shall be excluded.
- 2205.3 Except as provided in § 2203, in the case of mixed uses, the loading berths required shall be the sum of the requirements for the various individual uses computed separately in accordance with § 2201. At least one (1) loading berth shall be provided when the sum of the gross floor area of the separate uses exceeds the minimum gross floor area requiring loading berths for any one of the separate uses. Loading berths for one use shall not be considered as providing the required loading berths for any other use except as provided in § 2203.
- 2205.4 No loading berths are required for buildings or structures with a gross floor area less than the minimum sizes specified in the schedule in § 2201.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6625 (December 28, 1984); as amended by Final Rulemaking published at 33 DCR 2813, 2819 (May 9, 1986); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8509-10 (October 20, 2000).